

**Supreme Court of the State of New York**  
**Appellate Division: Second Judicial Department**

D32305  
O/prt

\_\_\_\_\_AD3d\_\_\_\_\_

A. GAIL PRUDENTI, P.J.  
WILLIAM F. MASTRO  
REINALDO E. RIVERA  
MARK C. DILLON, JJ.

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2007-02206

DECISION & ORDER

The People, etc., respondent,  
v Roger Helenese, appellant.

(Ind. No. 2525/05)

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Roger Helenese, Warwick, N.Y., appellant pro se.

Richard A. Brown, District Attorney, Kew Gardens, N.Y. (John M. Castellano,  
Nicoletta J. Caferra, and Laura T. Ross of counsel), for respondent.

Application by the appellant for a writ of error coram nobis to vacate, on the ground of ineffective assistance of appellate counsel, a decision and order of this Court dated July 27, 2010 (*People v Helenese*, 75 AD3d 653), affirming a judgment of the Supreme Court, Queens County, rendered February 27, 2007.

ORDERED that the application is denied.

The appellant has failed to establish that he was denied the effective assistance of appellate counsel (*see Jones v Barnes*, 463 US 745; *People v Stultz*, 2 NY3d 277).

PRUDENTI, P.J., MASTRO, RIVERA and DILLON, JJ., concur.

ENTER:



Matthew G. Kiernan  
Clerk of the Court

September 20, 2011

PEOPLE v HELENESE, ROGER